

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SECOND DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 20070 of 2004

Between:

D.R.P. Anand Rao, S/o D.R. Prakash Rao,
Deputy Executive Engineer,

Transmission Division, H.M.W.S. & S.B, Hyderabad.

..... PETITIONER

AND

1. The Government of Andhra Pradesh,

Rep. by its Principal Secretary,

Municipal Administration and Urban Development

Department,

Secretariat Building,

Hyderabad- 500 022.

2 The Engineer-in-Chief, Public Health, Kashana A.C. Guards,

Hyderabad - 500 004.
3 H.M.W.S. & S.B. rep. by its Managing Director, Khairthabad,
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly in the nature of Writ of Certiorari; a) To call for the records connected with G.O.Ms.No. 82 M.A. dated 5-3-2004 and quash the same b) To declare that the respondents cannot create and continue separate post of either Dy. Executive Engineer or Executive Engineer as one to be filled only with Mechanical or Electrical Engineering graduates; c) To declare that the post of Executive Engineer as to be filled up by way of promotion of a Dy. Executive Engineer with the Engineering qualification in any branch of Engineering; and d) To call for the records connected with the orders dated 14-10-2004 in O.A.No. 5747 of 2004 and set aside the same.

Counsel for the Petitioner: MR.P.BALA KRISHNA MURTHY

Counsel for Respondents1 and 2: GP FOR MUNICIPAL ADMN. & URBAN DEVELOPMENT

Counsel for Respondent No.3: MS. M. VENKATESWARI Standing Counsel

The Court made the following order: (per the Hon'ble Sri GR,J)

Aggrieved by the order of the Andhra Pradesh Administrative Tribunal, Hyderabad dated 14-10-2004 in O.A.No.5747 of 2004 declining the grant of interim relief, the applicant is before this Court.

The O.A. was filed assailing the validity of G.O.Ms.No.82-MA, Municipal Administration and Urban Development Department dated 5-3-2004, whereby the hitherto unclassified posts of Executive Engineers were classified as Executive Engineer (Electrical) and Executive Engineer (Mechanical); the method of

recruitment to the two posts was specified (as by promotion) as also the qualifications for promotion to the posts of Executive Engineers (Electrical and Mechanical) were specified.

The issues raised by the applicant in support of his challenge to the validity of G.O.Ms.No.82 involve analyses of a series of amendatory exercises undertaken by the State Government as also consideration of the relevant regulations of the Hyderabad Metropolitan Water Supply and Sewerage Board.

Under the circumstances, this Court is satisfied that the order of the Tribunal declining the grant of interim relief suffers from no error in the exercise of discretion, warranting interference by this Court.

As the issues urged before the Tribunal in the O.A. raise important questions affecting the services in the A.P. Public Health and Municipal Engineering Services and the Hyderabad Metropolitan Water Supply and Sewerage Board at critical levels, we consider it appropriate to direct the Tribunal to dispose of the O.A. expeditiously and in any event within a period of six months from today.

The writ petition is accordingly disposed of at the admission stage. No costs.

2-11-2004

lvi/mrk

To

1. The Principal Secretary, Government of Andhra Pradesh,
Municipal Administration and Urban Development
Department,
Secretariat Building,
Hyderabad- 500 022.

2 The Engineer-in-Chief, Public Health, Kashana A.C. Guards,
Hyderabad - 500 004.

3 H.M.W.S. & S.B. rep. by its Managing Director, Khairthabad,
Hyderabad.

4. 2CCs to GP FOR MUNICIPAL ADMN. & URBAN DEVELOPMENT, High
Court of A.P., Hyderabad.(OUT)

5. 2CD copies

6. The A.P. Administrative Tribunal, Hyderabad.